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Washington, D.C. 20231 on February 7, 2001

David Saliwanchik

David R. Saliwanchik, Patent Attorney



*Receipt*  
Patent Application  
Docket No. UF-221C1XC1  
Serial No. 09/662,254

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TECH CENTER 1600/290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard W. Moyer, Yi Li, Alison L. Bawden  
Serial No. : 09/662,254  
Filed : September 14, 2000  
For : Materials And Methods For Delivery And Expression Of Heterologous DNA  
In Vertebrate Cells

Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

The applicants respectfully request the correction of the Official Filing Receipt received for the above-identified patent application. The correction needed is in the Continuing Data as Claimed by Applicant section. The current official Filing Receipt does not reference provisional patent application Serial No. 60/224,479, filed August 10, 2000. Attached with this request is a copy of the Declaration and Power of Attorney and a copy of the Utility Patent Application Transmittal Form, both marked-up copies showing the correct Continuing Data.

Also a marked-up copy of the erroneous Official Filing Receipt accompanies this Request. Correction of the above is respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit  
Account No. 19-0065.

Respectfully submitted,

*David Saliwanchik*

David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.: 352-375-8100

Address : 2421 N.W. 41st Street, Suite A-1  
Gainesville, FL 32606-6669

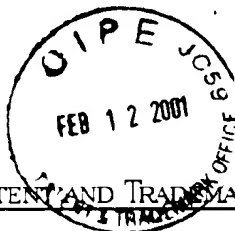
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DRS/la

Enclosures: Copy of Declaration and Power of Attorney;  
Copy of Utility Patent Application Transmittal Form; and  
Copy of erroneous Filing Receipt



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## UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/662,254         | 09/14/2000  | 1645         | 1061          | UF-221C1XC1    | 10       | 75         | 7          |

23557

SALIWANCHIK LLOYD & SALIWANCHIK  
A PROFESSIONAL ASSOCIATION  
2421 N.W. 41ST STREET  
SUITE A-1  
GAINESVILLE, FL 326066669

### FILING RECEIPT



\*OC000000005602669\*

DEC 21 2000

DRS

Date Mailed: 12/07/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

Richard W. Moyer, Gainesville, FL ;  
Yi Li, Lazal, CANADA;  
Alison L. Bawden, Gainesville, FL ;

### Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/086,651 05/29/1998 PAT 6,127,172

*Claims benefit of USSN 60/224,479, filed August 10, 2000.*

### Foreign Applications

If Required, Foreign Filing License Granted 10/23/2000

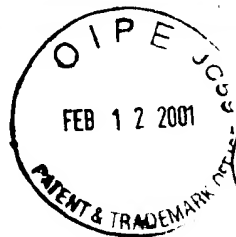
**\*\* SMALL ENTITY \*\***

### Title

Materials and methods for delivery and expression of heterologous dna in vertebrate cells

### Preliminary Class

435



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Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

|  |  |
|--|--|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><small>Only for new nonprovisional applications under 37 C.F.R. § 1.53(b)</small> | Attorney/Agent No. <b>UF-221C1XC1</b>  |
|  | First Inventor or Application Identifier <b>Mover, Richard W.</b>                        |
|  | Title <b>Materials and Methods For Delivery And Expression of Heterologous ... Cells</b> |
|  | Express Mail Label No. <b>EK841464075US</b>  |

| APPLICATION ELEMENTS<br><small>See MPEP chapter 600 concerning utility patent application contents</small>  | ADDRESS TO: Assistant Commissioner for Patents<br>Box Patent Application<br>Washington, DC 20231  |  |
|---|---|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB-177)<br><small>(Submit an original and a duplicate for fee processing)</small>  | 5. <input type="checkbox"/> Microfiche Computer Program (Appendix)  |  |
| 2. <input checked="" type="checkbox"/> Specification <span style="float: right;">(Total Pages <b>92</b>)</span><br><small>preferred arrangement set forth below:</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the invention</li><li>- Brief Summary of the invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claims</li><li>- Abstract of the Disclosure</li></ul>  | 6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><small>(if applicable, all necessary)</small> <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Computer Readable Copy</li><li>b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</li></ul>  |  |
| 3. <input checked="" type="checkbox"/> Drawings (35 U.S.C. 113) <span style="float: right;">(Total Sheets <b>10</b>)</span><br><small>(two additional sets)</small>   | <b>ACCOMPANYING APPLICATION PARTS</b> <ul style="list-style-type: none"><li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</li><li>8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>when there is an assignee</small></li><li>9. <input type="checkbox"/> English Translation Document (if applicable)</li><li>10. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449 <input type="checkbox"/> Copies of IDS Citations</li><li>11. <input type="checkbox"/> Preliminary Amendment</li><li>12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/><small>(Should be specifically itemized)</small></li><li>13. <input checked="" type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired <small>(PTO/SB-09-12)</small></li><li>14. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></li><li>15. <input checked="" type="checkbox"/> Other Petition under 37 CFR 1.84(2) <small>w/3 sets of color figures</small></li></ul> |  |
| 4. <input type="checkbox"/> Oath or Declaration <span style="float: right;">(Total Pages <b>2</b>)</span> <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Newly executed (original or copy) unsigned</li><li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) <small>for continuation/divisional with Box 16 completed</small></li><li>c. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/><small>Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</small></li></ul>  |   |  |
| <b>*NOTE FOR ITEMS 1 &amp; 3: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION'S RELIED UPON (37 C.F.R. § 1.28).</b>   |   |  |
| 16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:<br><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior application No. <b>09 / 086,651</b><br><small>Prior application information: Examiner <b>Beckerley</b> Group / Art Unit: <b>1632</b></small><br><b>For CONTINUATION or DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. |   |  |

|  |  |
|--|--|
| <b>17. CORRESPONDENCE ADDRESS</b>  |  |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label  <b>23557</b> | or <input type="checkbox"/> Correspondence address below |
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| Address |                         |          |  |
| City    | State                   | Zip Code |  |
| Country | Telephone               | Fax      |  |

|                   |                             |                                   |                |
|-------------------|-----------------------------|-----------------------------------|----------------|
| Name (Print/Type) | <b>David R. Saliwanchik</b> | Registration No. (Attorney/Agent) | <b>31,794</b>  |
| Signature         | <i>David Saliwanchik</i>    | Date                              | <b>9-19-00</b> |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

COPY



Docket No. UF-221C1XC1

DECLARATION (37 CFR 1.66) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Materials And Methods For Delivery And Expression Of heterologous DNA In Vertebrate Cells**, specification for which

☒ is attached hereto.

☐ was filed \_\_\_\_\_, Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Application<br>Serial No. | Country | Filing Date | Priority Claimed |
|---------------------------|---------|-------------|------------------|
|---------------------------|---------|-------------|------------------|

I hereby claim priority benefits under Title 35, United States Code § 119 of any provisional application(s) for patent listed below:

| Application<br>Serial No. | Filing Date    | Priority Claimed |
|---------------------------|----------------|------------------|
| 60/224,479                | 10 August 2000 | Yes              |

I hereby claim the benefit under Title 35, United States Code, § 120 and/or § 365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Application<br>Serial No. | Filing Date | Status (Patented,<br>Pending, Abandoned) |
|---------------------------|-------------|--|
| 09/086,651                | 29 May 1998 | pending                                  |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following persons registered to practice before the Patent and Trademark Office as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith: David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Christine Q. McLeod, Reg. No. 36,213; Jay M. Sanders, Reg. No. 39,355; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Jean Kyle, Reg. No. 36,987; Seth M. Blum, Reg. No. 45,489; Glenn P. Ladwig, Reg. No. P-46,853.

I request that all correspondence be sent to:

David R. Saliwanchik  
2421 N.W. 41st Street, Suite A-1  
Gainesville, FL 32606-6669

I further request that all telephone communications be directed to:

David R. Saliwanchik  
352-375-8100